

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16087, of the District of Columbia Department of Administrative Services, pursuant to 11 DCMR 3108.1, for a special exception under Section 334 to establish a temporary community service center in the basement through the third floor in an R-4 district at premises 1325 Independence Avenue, S.E. (Square 1038, Lot 803).

HEARING DATE: December 20, 1995

DECISION DATES: January 10, February 7, 21, and March 6, 1996

FINAL DATE OF ORDER: July 3, 1996

MODIFICATION OF ORDER

The Board granted the application with conditions by its order dated July 3, 1996. By memorandum dated October 29, 1996, the applicant requested that the Board consider a modification of Condition No. 2 in its final order. Condition No. 2 provides as follows:

2. The center shall be located on the ground floor of the east wing of the structure and shall occupy no more than 8,148 square feet of floor area.

The applicant stated that the Capital East Service Center currently occupies 8,148 square feet of space on two floors of the east wing of the Bryan School. The order, as currently drafted, would have the effect of prohibiting the center's use of the second floor. The entire Capital East Service Center will not fit within the space on the first floor. Further, there is nothing in the record to indicate that the Board intended to reduce the size of the Capital East Service Center operations. Therefore, the applicant seeks to have the Board's final order reflect the fact that both floors will be occupied as originally requested.

The Board received no correspondence from other parties to the application in support of or in opposition to the modification request.

Upon consideration of the proposed modification request, the record in the case and the final order, the Board concludes that the final order should be modified to reflect that the use may occupy two floors. The Board concludes that the proposed modification is minor in nature and does not substantially alter

the overall project as initially approved by the Board. No further zoning relief is required from the Board, and there is no opposition to the request. Therefore it is **ORDERED** that the modification of Condition No. 2 is **APPROVED** to read as follows:

2. The center shall be located on the first and second floors of the east wing of the structure and shall occupy no more than 8,148 square feet of floor area.

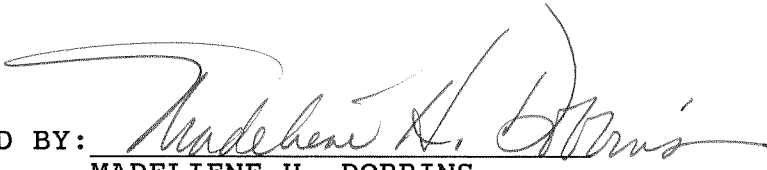
In all other respects the order of the Board dated July 3, 1996 shall remain in full force and effect.

VOTE: 5-0 (Angel F. Clarens, Susan M. Hinton, Sheila Cross Reid, and Laura M. Richards to grant; Maybelle Taylor Bennett to grant by absentee vote).

DECISION DATE: December 4, 1996

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: JAN 29 1997

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

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THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS, UNLESS
WITHIN SUCH PERIOD SUCH APPLICATION FOR A BUILDING PERMIT OR
CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER
AND REGULATORY AFFAIRS.

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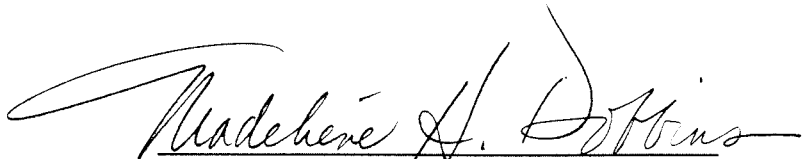
BZA APPLICATION NO. 16087

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JAN 29 1997 a copy of the order entered on that date in this matter was mailed postage prepaid to each person who appeared and participated in the public hearing concerning this matter, and who is listed below:

James Parks
Department of Administrative Services
441 4th Street, N.W., 7th Floor
Washington, D.C. 20001

Brian R. Furness
Bryan School Neighborhood Association
1367 Massachusetts Avenue, S.E.
Washington, D.C. 20003

Peter J. Waldron, Chairperson
Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, S.E., #108
Washington, D.C. 20003


MADELIENE H. DOBBINS
Director

Date: JAN 29 1997